

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address  Elissa D. Miller (CA Bar No. 120029) emiller@sulmeyerlaw.com Steven F. Werth (CA Bar No. 205434) swerth@sulmeyerlaw.com SulmeyerKupetz A Professional Corporation 333 South Grand Ave., Suite 3400 Los Angeles, California 90071 Telephone: 213.626.2311 Facsimile: 213.629.4520  <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Howard M. Ehrenberg, Chapter 7 Trustee	FOR COURT USE ONLY
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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION**

In re:  WILLIE JOHN RILEY,          Debtor.	CASE NO.: 2:17-bk-19925-NB CHAPTER: 7  <b>NOTICE OF SALE OF ESTATE PROPERTY</b>  <b>{3604 COBBERT DRIVE SAN JOSE, CA 91548 [APN 654-51-069]}</b>
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<b>Sale Date:</b> February 5, 2019	<b>Time:</b> 2:00 p.m.
<b>Location: Courtroom 1545</b> United States Bankruptcy Court, Roybal Federal Building, 255 East Temple Street, Los Angeles, CA 90012	

**Type of Sale:**    ☒ Public    ☐ Private    **Last date to file objections:**    January 22, 2019  
Residential Real Property located at 3604 Cobbert Drive, San Jose, California, 91548 [APN 654-51-069]

**Description of property to be sold:**    \_\_\_\_\_

**Terms and conditions of sale:**    The Buyer has offered to purchase the Bankruptcy Estate's interest in the Property for \$1,080,000 ("Purchase Price"), \$32,400 of which has been tendered, with the balance to be paid prior to close of escrow. Escrow is to close 15 days after entry of an order granting Trustee's motion to sell the Property. The purchase of the Property is also subject to acceptance of certain terms and conditions agreed to by the Buyer in the Purchase Agreement attached to the Motion.

The Trustee seeks to sell the Property on the terms and conditions stated in the "California Residential Purchase Agreement And Joint Escrow Instructions" attached to the Motion as Exhibit 1 (hereafter, the "Purchase Agreement"), between the Trustee and Nhon Hoang Nguyen ("Buyer"), for \$1,080,000.00 cash, or to any person or entity who appears at the hearing on the Motion and submits a higher acceptable bid in accordance with the Trustee's proposed overbid procedures.

The Trustee seeks an order approving the Sale free and clear of all liens, claims, and interests, with said liens, claims, and interests to attach to the Sale proceeds in the same manner and priority as under applicable law.

**Proposed sale price:**    \$1,080,000

Any party wishing to bid on the Property ("Overbidder") shall advise the Trustee of their intent to bid on the Property and the amount of their overbid (which must be at least \$10,000.00 more than the current selling price of \$1,080,000 ("Initial Overbid"), by no later than 12:00 p.m., Pacific Time, on February 1, 2019 ("Overbid Deadline"), and any subsequent overbids will be in increments of \$5,000.00. In his absolute and sole discretion, the Trustee shall have the right to approve any Overbidder for bidding prior to the hearing but after the Overbid Deadline.

Any Overbidder shall provide the Trustee with a cashier's check, payable to "Howard M. Ehrenberg, Chapter 7 Trustee of the Bankruptcy Estate of Willie John Riley" in the amount of \$32,400 ("Deposit"). The Deposit must be delivered so that it is received by the Trustee no later than the Overbid Deadline.

In the event of any Overbid, the \$32,400 deposit from the Buyer or successful Overbidder shall serve as the Deposit for the Buyer or any successful Overbidder, with a refund of such deposit to the party that is not the "Winning Bidder." Any Overbidder must provide the Trustee with evidence of the proposed Overbidder's financial ability to pay the full amount of the Overbid so that such evidence is received by the Trustee's counsel by no later than the Overbid Deadline.

All parties who have submitted timely bids and otherwise satisfied the foregoing requirements will be able to participate in an auction to be conducted at the hearing on the Motion as is necessary in order to increase their bid.

The Winning Bidder's Deposit shall be applied towards the total purchase price. The Winning Bidder must tender the balance of the total purchase price to the Trustee within fifteen (15) calendar days following entry of the order approving the sale of the Property to such buyer. To the extent the Winning Bidder fails to tender the balance of the purchase price by such date, that bidder's entire Deposit shall be non-refundable and forfeited to the Trustee. To the extent the Buyer or another Overbidder is not the Winning Bidder, that party's Deposit will be refunded by the Trustee.

**Overbid procedure (if any):**

**If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:**

February 5, 2019

2:00 p.m.

Courtroom 1545

Roybal Federal Building

255 East Temple Street

Los Angeles, CA 90012

**Contact person for potential bidders (include name, address, telephone, fax and/or email address):**

Steven F. Werth, Esq./SulmeyerKupetz, A Professional Corporation

Attorneys for Howard M. Ehrenberg, Chapter 7 Trustee

333 South Grand Ave., Suite 3400

Los Angeles, CA 90071

Telephone: 213.626.2311; Facsimile: 213.629.4520

swerth@sulmeyerlaw.com

Date: January 15, 2019

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
333 South Grand Ave., Suite 3400, Los Angeles, California 90071

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On January 15, 2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Howard M Ehrenberg (TR)

ehrenbergtrustee@sulmeyerlaw.com, ca25@ecfcbis.com;C123@ecfcbis.com;hehrenberg@ecf.inforuptcy.com

Najah J Shariff on behalf of Creditor United States of America on Behalf of Internal Revenue Service  
najah.shariff@usdoj.gov, USACAC.criminal@usdoj.gov

Richard L. Sturdevant on behalf of Attorney Andy Financial Relief Law Center, APC  
rich@bwlawcenter.com

Levi Reuben Uku on behalf of Debtor Willie John Riley  
Levireuben@gmail.com

United States Trustee (LA)  
ustregion16.la.ecf@usdoj.gov

Andy C Warshaw on behalf of Attorney Andy Financial Relief Law Center, APC  
awarshaw@bwlawcenter.com, ecf@bwlawcenter.com

Steven Werth on behalf of Trustee Howard M Ehrenberg (TR)  
swerth@sulmeyerlaw.com,  
asokolowski@sulmeyerlaw.com;mviramontes@sulmeyerlaw.com;asokolowski@ecf.inforuptcy.com;swerth@ecf.inforuptcy.com

Sally A Williams on behalf of Creditor Mackin Living Trust dtd 10/23/93  
SALLY\_WILLIAMSLAW@YAHOO.COM

**2. SERVED BY UNITED STATES MAIL:**

On , I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.



Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) January 15, 2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**VIA PERSONAL DELIVERY**

The Honorable Neil W. Bason  
U.S. Bankruptcy Court  
Roybal Federal Building  
255 E. Temple Street  
Bin outside of Suite 1552  
Los Angeles, CA 90012

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 15, 2019	Maria R. Viramontes	/s/Maria R. Viramontes
<i>Date</i>	<i>Printed Name</i>	<i>Signature</i>